

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRYAN MORSE,

Defendant.

**4:20CR3109**

**ORDER**

After conferring with the defendant, defense counsel states the defendant has decided to withdraw his motion to dismiss, and he requests a trial date no sooner than 45 days because he needs additional time to prepare for trial. (Filing No. 19). The case can now be set for trial.

IT IS ORDERED:

- 1) Defendant's motion to dismiss, (Filing No. 19), is withdrawn.
- 2) The trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on November 22, 2021, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 3) The ends of justice served by setting the trial beyond the time limitations of the Speedy Trial Act outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and November 22, 2021, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

September 24, 2021.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge